



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

Reply To

Attn Of:

OCE-082

JUL 30 2004

Anastasia Wilkinson
Time Oil Company
2737 West Commodore Way
Seattle, Washington 98199-1233

Subject: Former Jackpot site, EPA Facility #4-260040, located at 613 E. Toppenish Ave.,
Toppenish, Washington

Dear Ms. Wilkinson:

This letter is in response to your request for a No Further Action determination that the contamination released from your operation located at 613 E. Toppenish Avenue is no longer a hazard to human health and the environment.

I reviewed the file and data provided and concluded that there are remaining unresolved issues concerning the contamination at this site. Since the contaminated soil from this release was left on site without an institutional control, a more thorough consideration of the facts was warranted. Specifically, you assert there is no potential exposure to the residents who live adjacent to the property, but you do not provide data to clearly show the rate of natural attenuation, the groundwater flow rate and direction if the contaminated soil left on site were to become mobile in groundwater.

In May 2002 I wrote to you expressing my concerns following my visit to the site on April 24, 2002. In my letter I explained how the preliminary field elevation data indicates the water table is close to flat, which leads me to believe that groundwater movement at this site will be slow and somewhat diffuse. Therefore, contamination may take years to reach the groundwater wells placed on site and may even move directly east rather than the presumed south east.

If I have misunderstood the data please forgive me and clarify your intentions to actively remediate this contaminated site. Feel free to contact me anytime at (206) 553-0702.

Sincerely,

Mike Shepherd
Ground Water Protection Unit

cc: Moses Squeochs, Yakama Nation Environmental Coordinator
Norm Puri, Pinnacle GeoSciences